

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LIONEL R. BROWN,	)	8:14CV155
	)	
Petitioner,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
STATE OF NEBRASKA,	)	
	)	
Respondent.	)	

This matter is before the court on Petitioner's Notice of Appeal, Motion to Proceed in Forma Pauperis on Appeal, and Motion for Appointment of Counsel. (Filing No. [12](#), Filing No. [13](#), and Filing No. [14](#).) Upon careful consideration,

IT IS ORDERED that:

1. In accordance with [Federal Rule of Appellate Procedure 24\(a\)\(3\)](#), leave to proceed in forma pauperis on appeal is granted (Filing No. [13](#)) and Petitioner is relieved from paying the appellate filing fee at this time.

2. Petitioner's Motion for Appointment of Counsel (Filing No. [14](#)) is denied without prejudice to reassertion before the Eighth Circuit Court of Appeals.

DATED this 2<sup>nd</sup> day of July, 2014.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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